

1 GAIL SHIFMAN  
2 ATTORNEY AT LAW  
3 601 California Street  
4 Suite 1800  
5 San Francisco, CA 94108  
6 Telephone: (415) 551-1500  
7 Facsimile: (415) 551-1502

8 Specially Appearing for Defendant  
9 ENRIQUE QUILES, SR.

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

12 UNITED STATES OF AMERICA,  
13  
14 Plaintiff,

15 v.

16 ENRIQUE QUILES, SR., ET AL.,  
17  
18 Defendants.

Case No. CR 12-0544 EMC

STIPULATION AND [PROPOSED]  
ORDER CONTINUING STATUS HEARING  
DATE AND EXCLUDING TIME UNDER  
THE SPEEDY TRIAL ACT

19 Plaintiff, by and through its attorney of record, and  
20 defendants, by and through their attorneys of record, hereby  
21 stipulate and ask the Court to find as follows:

22 1. That the parties are currently scheduled for a status  
23 hearing on September 26, 2012 which is the Yom Kippur holiday.  
24 Undersigned counsel for Defendant Quiles will be unavailable on  
25 that day because of the Yom Kippur holiday. Defendant Quiles,  
26 Sr. is in the process of retaining counsel and expects to do so  
27  
28

1 prior to the status hearing date. To be economical with the  
2 Court's time, keep the two defendants together and to accommodate  
3 the Jewish holiday, the parties have agreed to this brief  
4 continuance of the status hearing, to October 17, 2012 at 2:30  
5 p.m.

6  
7 2. That the parties agree that the failure to grant such a  
8 continuance would unreasonably deny counsel the reasonable time  
9 necessary for effective preparation, taking into account the  
10 exercise of due diligence and that September 26, 2012 through  
11 October 17, 2012 should be excluded in accordance with the  
12 provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), on  
13 the basis that the ends of justice are served by taking such  
14 action which outweigh the best interest of the public and the  
15 defendant in a speedy trial and also under subsection (B)(iv) for  
16 effective preparation of counsel, taking into account the  
17 exercise of due diligence.  
18

19 Dated: September 18, 2012

/s/  
\_\_\_\_\_  
Hallie Mitchell Hoffman  
Assistant United States Attorney

22 Dated: September 18, 2012

/s/  
\_\_\_\_\_  
Matthew G. Jacobs  
Attorney for Defendant Kenneth Tolin

25 Dated: September 18, 2012

/s/  
\_\_\_\_\_  
Gail Shifman  
Specially Appearing for Defendant  
Enrique Quiles, Sr.

1 **[~~PROPOSED~~] ORDER**

2 This matter having come before the Court upon the  
3 Stipulation of the parties and GOOD CAUSE APPEARING, IT IS HEREBY  
4 ORDERED,

5 That the September 26, 2012 status hearing shall be vacated  
6 and continued until October 17, 2012 at 2:30 p.m.;

7  
8 And, that the time from September 26, 2012 through October  
9 17, 2012 shall be excluded in accordance with the provisions of  
10 the Speedy Trial Act, 18 U.S.C. §§ 3161(h) (7) (A) and (B) (iv), to  
11 provide the defense lawyers with time to review proposed plea  
12 agreements and for effective preparation. The Court finds that  
13 (A) failure to grant the continuance would unreasonably deny  
14 defendants the reasonable time necessary for effective  
15 preparation, taking into account the exercise of due diligence;  
16 and (B) the ends of justice served by the continuance outweigh  
17 the best interests of the public and the defendants in a speedy  
18 trial. See 18 U.S.C. § 3161(h) (1) (7) (A) & (B) (iv).

19  
20 **IT IS SO ORDERED.**

21 Dated: September 24, 2012

